

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAVID WHITAKER, *et al*,

Plaintiffs,

v.

JANE MASON, *et al*,

Defendants.

Civ. No. 25-01232 (RK)(JBD)

ORDER

Before the Court is a letter dated March 28, 2025, filed by Thomas Denoia, Esq., who is a third-party defendant in this case and also counsel for defendant/third-party plaintiff Jane Mason. [Dkt. 12.] Mr. Denoia's March 28 letter requests an extension of time to respond to the counterclaims filed against him and Ms. Mason, *see* [Dkt. 6], and to respond to the motion to disqualify him and his law firm as counsel for Ms. Mason, *see* [Dkt. 9].

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(B), the deadline to answer or otherwise respond to the counterclaims passed on March 13, 2025. Mr. Denoia did not make any attempt to address or respond to the counterclaims until March 19, 2025, *see* [Dkt. 10], and therefore counsel's pre-motion letter filed on that date—which itself was not compliant with the District Judge's individual preferences given the presence of a *pro se* litigant—was itself untimely. Moreover, the pending motion to disqualify was filed on March 7, 2025, making any opposition due on March 24, 2025. Mr. Denoia did not file, and has not filed, a timely response to the motion. Mr. Denoia's March 28 letter does not set forth any reasons why he did not

file timely responses to the counterclaims and the motion to disqualify. The Court finding it appropriate to require Mr. Denoia to identify such reasons, and good cause appearing,

IT IS on this **1st** day of **April, 2025**, hereby

ORDERED that no later than **April 8, 2025**, Mr. Denoia shall show cause in writing filed via CM/ECF why the Court should grant the requested extensions. That filing shall include an explanation why the foregoing deadlines were missed and Mr. Denoia's representations about adherence to deadlines in this matter going forward.



J. BRENDAN DAY
UNITED STATES MAGISTRATE JUDGE